



Quick Guide: Retailer's Books and Records and Food Sales Requirements

District of Columbia law requires that all retail license holders maintain records related to the purchase and distribution of alcoholic beverages. In addition, license holders holding a restaurant or hotel license are also required to maintain records related to their compliance with the District's minimum food sale requirements. The following quick guide explains these requirements in detail.

RELEVANT LAW

The law governing retailer books and records and food sales requirements may be found in the following statutes and regulations:

- D.C. Official Code § 25-101(43) provides the definition of a restaurant and provides the minimum food sales for that type of license.
- D.C. Official Code § 25-113 describes food sales, recordkeeping and retention requirements for both restaurants and hotels.
- 23 DCMR § 1204 further explains the retailer's books and records requirements.
- 23 DCMR § 1207 further explains the quarterly statement and annual report requirements of restaurants and hotels.
- 23 DCMR § 1208 explains a licensee's obligation to maintain records and permit ABRA to inspect their records.

ALCOHOLIC BEVERAGE RECORDKEEPING REQUIREMENTS

All retail license holders must maintain the following records related to the purchase and sale of alcoholic beverages:

1. Invoices and delivery slips showing all purchases, sales and deliveries of all alcoholic beverages, except beer.¹

¹ The records shall show the quantity in gallons purchased, the date of purchase, the name of the vendor, the price of each beverage, the total purchase price, and the character and brand of any other alcoholic beverages acquired in a manner other than by purchase.

2. Permits to Transport Alcoholic Beverages (also known as Retailer's Import Permits).

FOOD SALE RECORDKEEPING REQUIREMENTS

All license holders that possess a restaurant or hotel license must maintain the following records:

1. Sales information showing the date of sale, the price of food sold, the price of alcoholic beverages sold and the amount of total sales.
2. Purchase information showing the date and quantity of the purchase, as well as the name, address and phone number of the vendor with the original invoice.
3. Register receipts or guest checks kept in a daily or weekly fashion that includes food and alcohol sold, as well as the amount of total sales.

MINIMUM FOOD SALES REQUIREMENTS

All license holders that possess a restaurant or hotel license must demonstrate that the establishment:

1. Has gross annual food sales of at least \$1,500 per occupant if holding a retailer's class D license;
2. Has gross annual food sales of at least \$2,000 per occupant if holding a retailer's class C license; or
3. Has the sale of food account for at least 45% of the retailer's gross annual receipts.

License holders should be aware that off-site food sales are excluded from this calculation. The "per occupant" calculation is derived from comparing food sales to the seat total provided on the licensee's certificate of occupancy.

FOOD SALES REPORTING REQUIREMENTS

All license holders that possess a restaurant or hotel must submit a quarterly report indicating their food and alcoholic beverage sales on a quarterly basis.

Visit ABRA's website to [learn more about how to properly comply with this requirement](#).

MAINTENANCE AND RETENTION

All license holders must maintain all records for a period of at least three years. The records should be filed in a systematic fashion for easy reference.

INSPECTION AND AUDITS

A retail licensee is obligated to permit ABRA to inspect their books and records during their hours of operation upon request. ABRA also conducts random audits of books and records as part of its compliance program.

STORAGE

Generally, licensees must either store all physical records at the establishment or store their records electronically so long as the records are immediately available upon request.

Licensees are permitted to store records off-site so long as the license holder obtains the permission of the Alcoholic Beverage Control Board (Board). License holders interested in storing physical records at another location should file a written request with the Board. A licensee granted permission to store off-site must still maintain register receipts on the premises.

License holders are permitted to store original records outside the District of Columbia so long as duplicates are maintained on the premises or at another location approved by the Board. A license holder that chooses to only maintain duplicate records must be able to provide the Alcoholic Beverage Regulation Administration (ABRA) with the original records within three days of receiving a written request.

PENALTIES

A violation of an establishment's record keeping requirements may result in an enforcement action being taken against the license holder. Such violations may include the failure to:

- Properly maintain books and records,
- File a timely quarterly report,
- Make the records available upon request,
- Properly store records,
- Comply with an establishment's food sales requirements.

Possible penalties, include, but are not limited to the imposition of a fine, as well as the possibility of a suspension or revocation of the license.

CONTACT

For more information, visit ABRA.DC.Gov or contact ABRA at 202-442-4423 or ABRA@DC.Gov.